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Attorney Docket: 26963U

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Art Unit: Unknown  
BUHR, et al. Examiner: Unknown  
Filed: September 27, 2005 Attorney: GMN/SMM  
Application No.: 10/551,049  
Internatl. Appl. No.: PCT/EP2004/050428  
Internatl. Filing Date: April 02, 2004  
Title: **CYCLIC BENZIMIDAZOLES**

TRANSMITTAL LETTER

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Submitted herewith for filing in the U.S. Patent and Trademark Office is the following:

- 1) Information Disclosure Statement;
- 2) PTO Form-1449 with 7 cited references;
- 3) Copies of 7 of the cited references.

The Commissioner is hereby authorized to charge any deficiency or credit any excess to Deposit Account No. 14-0112.

Date: December 7, 2005

Respectfully submitted,  
**NATH & ASSOCIATES PLLC**

By: 

Gary M. Nath  
Reg. No. 26,865  
Sheldon M. McGee  
Reg. No. 50,454  
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**INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

An Information Disclosure Statement is submitted herewith pursuant to 37 C.F.R. 1.97-1.98. Please note the following particulars: [NOTE: One only of items a, b, c, and d must be checked.]

[XXX] a. The enclosed statement is being filed within three months of the filing date of a national application, or within three months of the date of entry into the national stage as set forth in 37 C.F.R. 1.491 in an international application, or before the mailing date of a first Office Action on the merits, whichever event occurs last.

[    ] b. The enclosed statement is being filed after a first action on the merits but before the mailing date of a final action under 37 C.F.R. 1.113, or a notice of allowance under 37 C.F.R. 1.311.  
The enclosed statement is accompanied by [check one]:  
[    ] i. a certification in part (e) below as specified in 37 C.F.R. 1.97(e), or  
[    ] ii. a check in the amount required by 37 C.F.R. 1.17(p).

[    ] c. The enclosed statement is being filed after the mailing date of a final action under 37 C.F.R. 1.113, or a notice of allowance under 37 C.F.R. 1.311, but before payment of the issue fee.  
[    ] Certification report(e) below; and

[ ] a check in the amount as required by 1.17(p).

[ ] d. The enclosed statement is being filed pursuant to 37 C.F.R. 1.97(i), for placement in the file.

[ ] e. Certification [Check one] [Certification is required only if box (b)(i) or box (c) is checked.]

[ ] I hereby certify that each item of information contained in the enclosed Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement,  
or

[ ] I hereby certify that no item of information in the enclosed Information Disclosure Statement herewith was cited in a communication from a foreign patent office in a counterpart foreign application, or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

or

[ ] Appropriate certification is attached.

[XXX] f. If no check is enclosed and a fee is due in connection with this communication or if the check enclosed is insufficient, the Commissioner is authorized to charge any fee or additional fee due in connection with this communication to Deposit Account No. 14-0112.

[XXX] g. Copies of the documents are attached herewith with a completed Form PTO-1449.

or

[ ] Copies of the documents are not attached as allowed under CFR 1.98(d)(1)(2). The earlier application is identified as:

and / or

[XXX] Copies of US Patents/Publications not attached as allowed in Official Gazette Aug. 5, 2003/ Vol. 1273, no. 1.

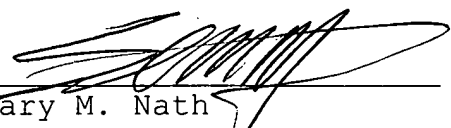
The Examiner is respectfully requested to cite the documents listed on the attached Form PTO-1449 in the next Office Action. In so doing, the Examiner is respectfully requested to initial in the space adjacent to the listing of each document on the Form PTO-1449, and return a copy of the initialed Form PTO-1449 with the next communication to Applicants, to confirm that these documents have been considered by the Examiner and made of record in this application.

If the Examiner has any questions or wishes to discuss this application, kindly telephone the undersigned at the below-listed number.

Date: December 7, 2005

Respectfully submitted,  
**NATH & ASSOCIATES PLLC**

By: \_\_\_\_\_

  
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Reg. No. 26,985  
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GMN/SMM/JP (IDS.STATEMENT)

<b>FORM PTO-1449</b> <b>INFORMATION DISCLOSURE CITATION</b>	In re Application of: BUHR, et al.		Art Unit: Unknown
	Application No: 10/551,049	Filed: September 27, 2005	Examiner: Unknown

## U.S. PATENT DOCUMENTS

Examiner Initial		Document Number	Issue / Publication Date	Inventor	Filed
	A1				
	A2				
	A3				
	A4				

## FOREIGN PATENT DOCUMENTS

		Document Number	Publication Date	Country	Translation
	A5	03/014123 A1	02/20/2003	WIPO	N/A
	A6	04/054984 A1	07/01/2004	WIPO	N/A
	A7	0 266 326 B1	05/04/1988	EP	N/A
	A8	95/27714 A1	10/19/1995	WIPO	N/A
	A9	97/47603	12/18/1997	WIPO	N/A
	A10				
	A11				
	A12				

## OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	A13	Kaminski, J.J. et al., "Antiulcer Agents. 5. Inhibition of Gastric H <sup>+</sup> /K <sup>+</sup> -ATPase by Substituted Imidazo[1,2-a]pyridines and Related Analogues and Its Implication in Modeling the High Affinity Potassium Ion Binding Site of the Gastric Proton Pump Enzyme", <u>J. Med. Chem.</u> , Vol. 34, pp. 533-541 (1991)
	A14	Kaminski, J.J. et al., "Antiulcer Agents. 6. Analysis of the in Vitro Biochemical and in Vivo Gastric Antisecretory Activity of Substituted Imidazo[1,2-a]pyridines and Related Analogues Using Comparative Molecular Field Analysis and Hypothetical Active Site Lattice Methodologies", <u>J. Med. Chem.</u> , Vol. 40, pp. 427-436 (1997)
	A15	
	A16	

Examiner	Date Considered
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP ' 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.